

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE LIFE IS GOOD COMPANY,)
Plaintiff)
)
v.) C.A. No. 16-cv-11565-GAO
)
OOSHIRTS INC.,)
Defendant)

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Plaintiff The Life is Good Company ("Life is Good") hereby moves, pursuant to Fed.R.Civ.P. 65(a) and 15 U.S.C. § 1116, that this Court issue a preliminary injunction (1) enjoining and restraining the Defendant, its directors, officers, agents, servants, employees, attorneys, subsidiaries, parents, affiliated companies, successors, and assigns, and all persons in active concert or participation with said Defendant who receive actual notice of this Court's orders by personal service or otherwise, from using in commerce any counterfeit or colorable imitation of Plaintiff's "LIFE IS GOOD" or "Jake Symbol" registered trademarks, or any mark confusingly similar to Plaintiff's "LIFE IS GOOD" or "Jake Symbol" trademarks; and (2) requiring that ooShirts provide Plaintiff with full contact information for the owner of each infringing campaign identified by Life is Good.

As grounds for this motion, Plaintiff states that ooShirts does business as TeeChip, and operates an interactive website at www.teechip.com that hosts campaigns through which designers of t-shirts advertise and sell those shirts. Numerous designers have started campaigns on Defendant's website that feature t-shirts that infringe Life is Good's trademarks. Despite repeated notices from Life is Good, Defendant has not taken steps to prevent infringing

campaigns from gaining access to its website – forcing Life is Good to bring this action and seek equitable relief.

In support for this motion, Plaintiff relies upon its memorandum of law and the Affidavit of John Banse filed herewith.

THE LIFE IS GOOD COMPANY,
By its attorneys,

/s/ Thomas E. Kenney
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